

**Colusa Subreach Planning Project Advisory Workgroup
Draft Meeting Summary
January 9, 2006 10:00 AM - 2:00 PM
Colusa Farm Bureau
Colusa, CA**

**Summary prepared by Carolyn Penny, Facilitator, Common Ground: Center for
Cooperative Solutions with assistance from Ellen Gentry, Sacramento River
Conservation Area Forum**

***Note: The next AW meeting will be held March 6 from 10 a.m. to 2 p.m., location to be
announced.***

Present:

AW: Burt Bundy, Mike Fehling, Greg Golet (alternate for Dawit Zeleke), Francis Hickie, John Garner, Armand Gonzales, Pat Kittle, Kelly Moroney, Brendan Reed (alternate for Rebecca Fris), John Rogers

Alternate: Joan Phillipe (alternate for John Rogers)

Staff: John Abbott (Common Ground), Ellen Gentry (SRCAF), Facilitator Carolyn Penny (Common Ground), Project Manager Gregg Werner (TNC)

Guests: Ryan Luster, Jeff Sutton

Agenda:

<u>Agenda Item</u>	<u>Approximate Start Time</u>	<u>Lead Person</u>	<u>Topic</u>	<u>Outcome</u>
1.	10:00	Carolyn Penny, Facilitator	Welcome, Introductions, November Field Trip Summary	<ul style="list-style-type: none">• Introductions. Approve agenda. Approve November summary.
2.	10:10	All	Status of the Advisory Workgroup	<ul style="list-style-type: none">• Discuss recent actions and future directions
3.	10:30	All	Reflections on November Field Trip	<ul style="list-style-type: none">• Share questions and observations that the AW should keep in mind as it proceeds with studies and habitat planning possibilities.
3.	10:40	Gregg Werner, Subcommittees, All	Updates on Subcommittee work and status of planning and research projects	<ul style="list-style-type: none">• Gain an update on the Subcommittee efforts, research projects, and next steps.
4.	11:00	Greg Golet, All	Baseline Analysis Review	<ul style="list-style-type: none">• Review and discuss the Ward Tract Baseline Analysis.

<u>Agenda Item</u>	<u>Approximate Start Time</u>	<u>Lead Person</u>	<u>Topic</u>	<u>Outcome</u>
5.	12:00	Public	Public Comment	<ul style="list-style-type: none">• Receive comment.
6.	12:15		Lunch and break	
7.	12:45	Gregg Werner, Greg Golet, All	Baseline Analysis Review	<ul style="list-style-type: none">• Determine hardcopy and review needs for remaining seven baseline analysis reports
8.	1:45	Carolyn Penny, All	Next Agenda and Next Steps	<ul style="list-style-type: none">• Shape next agenda; articulate next steps
9.	2:00		Adjourn	

Review of September Meeting Summary

The September meeting summary was accepted as written.

Review of November Meeting Summary

With the corrected date, the November meeting summary was accepted as written.

Status of Advisory Workgroup

Gregg Werner reviewed the Colusa County Board of Supervisors resolution, adopted December 13. The resolution resolves that “US Fish and Wildlife Service immediately suspend all funding directed to the SRCAF, the Colusa Sub-reach Planning, and any restoration project work within the scope of the SRCAF in Colusa County until the good neighbor policy has been adopted and implemented in its entirety.” Gregg noted that on four major projects, scopes of work have been approved, interviews have been held with consultants, and the contracting process is in the works. The contract has been let for Fran Borcalli. Gregg added he was notified that Ben Carter, Gary Evans, Jeff Sutton and Jon Wrynski will not be participating in CSP. Gregg also indicated that he understood that Ben will not be participating in SRCAF. Joan Phillipe stated the City of Colusa will be adopting its own resolution later in January. Mayor John Rogers noted his support and stated the Colusa City Council supported the action of the Colusa County Board of Supervisors.

In response to Pat Kittle’s question regarding SRCAF’s response to Ben’s concerns, Burt Bundy stated that most of the concerns addressed by Ben’s letter deal with agency response to the Good Neighbor Policy (GNP) and are not solely directed at SRCAF. Several agencies have received the information and it is on the SRCAF Board’s January 19 agenda to respond. SRCAF has responsibilities to continue tasks within the grant and will move forward. He expressed disappointment with Colusa County and the City of Colusa for not asking him to attend to provide a balanced view of the issues. Burt added the Board of Supervisors analysis is not entirely valid because the GNP is not yet completed.

Francis Hickle noted his support of Ben's frustrations. He stated that if questions regarding the GNP are not answered he will also step down. He noted the Ward property restoration would be a win-win situation for everyone if funded, as well as a return on investment potential. Francis asked whether there are funds and willingness to implement and maintain habitat restoration and a recreation plan on the Ward Property. He added any habitat restoration in Colusa needed the GNP in place to protect neighbors, or he would not support it. Francis said he has to draw a line in the sand and hopes Armand Gonzales and Brendan Reed will relay information. He said the AW work is going to be the fallout.

John Rogers also noted his support of Ben. He stated that these processes wear out participants, especially if progress is not made.

Due to the importance of a broad range of input on the future of the AW, the group agreed to open the floor for comment from observers.

Jeff Sutton expressed his support of Ben and agreement with Francis. He also agreed with Burt's analysis that the agencies are part of the obstacle for a GNP. He stated that further habitat restoration planning is putting the cart before the horse until the GNP is approved to address local concerns. Jeff also expressed his hope that if one county pulls out, the SRCAF will fall down. He stated that the SRCAF has no authority, has served to silence public opposition and that the counties are fed up. He wants the SRCAF to honor the decision of the county, city and Ben. He noted that it is a shame that the Colusa Subreach Planning process will suffer collateral damage, but restated the necessity in order to apply political pressure. He also noted that he had been participating in the AW out of respect for Ben after Dawit Zeleke's comment in December of 2004 that the AW would not have decision-making authority. He advocated for a hold on AW work until everyone is at the table working together.

John Garner said that drawing a line in the sand may not accomplish the goal. He noted CSP has been breaking new ground in some achievements (i.e., mapping of flood control and the rocking project in Glenn County) and is pleased with the mutual goals to help the community. He said he would like to see the GNP on a local level, but politics at a federal level are a stumbling block. Those policies can only be changed through congressmen, not locals. He added CSP is on the brink of doing something for Colusa County and now the concern is about the GNP. He does not want to see mapping accomplishments drift off. John said he has really seen some progress on this planning level and felt CSP can be an example. He supports the process.

Greg Golet stated, with some of what has been accomplished previously (a suite of studies, impacts of restoration, feasibility of restoration, working with local communities and outreach efforts), projects are moving forward with tangible benefits. It has taken involvement from multiple sides and that the chain of command is difficult to influence.

Joan asked whether Colusa County would be prepared to work with SRCAF on projects on mutual benefit. Jeff noted that Colusa County is not withdrawing from SRCAF.

Joan Phillipe noted that if a project has benefits she will not exercise veto power.

Burt stated that the SRCAF bylaws allow two representatives opposing restoration within a county to ask the Board not to support restoration activities within that county. Veto power comes with specific projects asking for funding. SRCAF looks at issues to see if they meet conditions and guidelines before supporting projects. He noted CSP has always been viewed as a planning project that does away with restoration problems. He said that steps have been taken in that direction covering a lot of those issues. A next step would be proponents asking for funding to do the project(s).

Francis stated he has lost confidence in the SRCAF Board, and is not sure the Board is capable of making good decisions for Colusa County. Jeff added that Colusa County is declining to participate until landowners' assurances are okayed; Colusa County is not declining to participate forever.

Burt noted that some of the GNP has been done. TAC project fact sheets and the Project Tracker program address many issues along the river. Technical review and Board review have changed uses. Projects are looked at more closely and there are substantial differences to credit. He agreed that there is a need to address the rest of the GNP issues. Francis agreed that some progress has been made.

John G. reiterated this is a planning process. He said he thinks there's an impasse with the GNP, and the group should move on and focus on the positive. If the public feels the GNP is that important, they will come back to AW participation. If the AW stops the whole process, it would be a shame because part of the deal is almost done and they are ready to go to contractors. John said there is a real lack of communication when "nothing happens" is being said, adding everyone knows there are some things you can't do anything about (i.e., Endangered Species Act).

Gregg said CSP has funding to move on with the project. There is funding for recreation planning now that may not be available in the future. He noted there is a set timeframe and developing a plan with this Workgroup is a good way to involve locals. There are flood control studies from which to gain information and that Ayres is ready to move ahead with that. Fran Borcalli's second opinion is valuable, as are other projects. He felt it made sense to move ahead for information, planning and feasibility, noting that funding may be years away. Gregg pledged to look for ways to involve local people in these efforts. He added TNC has an obligation to provide a product, and if projects move forward it will be because the AW has worked out problems during this process; planning is important with the absence of money. When money is available, TNC will be able to apply for funds for projects and would like to have local community support to the extent that it can. With the absence of the GNP, local involvement becomes even more important to the group. He noted that he would like to involve people at the local level no matter how the AW proceeds.

Armand noted that participation in the AW is more key in the absence of a GNP. He would like to see the AW apply for funds based on the restoration plans that get developed through its work. He would like to have community support and participation.

Kelly Moroney agreed, stating a number of projects have changed drastically based on local input. For example, he noted that the conservation plan for the Sacramento River refuge incorporates much of the landowners' assurances. He stated that it is not possible to negotiate a change in federal ESA legislation. He said these discussions with local landowners are designed into projects, incorporating issues adjacent landowners might have into restoration and strategies to reduce impacts. Noting that the studies set into motion by the AW will provide further information on reducing impact on landowners, he stated that the collateral damage to the AW was too bad.

Burt noted the first two policy actions of the GNP have been adopted. The second two (incidental take and establishing self-mitigation) are included in the recent Proposal Solicitation Package (PSP) grant application. The last two (dispute resolution process and mitigation funding) are difficult for agencies to discuss. He agreed that commitments from agencies are needed, but people need to know the good things SRCAF has done. Burt welcomed discussion at the TAC or advisory committee level, noting this is a beneficial process for everybody.

Brendan suggested keeping stakeholder involvement and thinking of creative ways to involve landowners. He stated that he sees the AW work to be laying the groundwork for a Good Neighbor Policy. Implementing agency managers are meeting tomorrow in Sacramento where this will be discussed. All funding for SRCAF would be eliminated the way the resolution is written.

Carolyn asked the group to go around the table and address the issue of where the AW should go next.

Kelly noted public involvement in the development of some of these research projects, and that this is a good opportunity to gain information and move forward on those areas. He suggested that the AW move forward with its research projects, creating additional opportunities for local stakeholder input, especially for adjacent landowners. He emphasized the lost opportunity from diminished participation and that the AW is involved in planning, not the restoration work at this point.

Brendan stated that the AW should continue and communicate clearly about the planning nature of its work.

Burt recommended that the AW should continue and work hard to involve neighboring landowners.

Armand preferred involving the community in the development of plans before an environmental review process, a process which is more limited. He stated that the AW should continue.

John G. suggested a letter stating that this is a planning process, pointing out the positive steps AW has accomplished and the opportunity to do some ground-breaking work. He suggested outreach to those opting out to come back with encouragement and support of the process. He pointed out it is better to be in the room to have input rather than not; more comes out of dialogue. CSP could be a model for what goes on along the river and other rivers and reminded the group that it is dealing with private property.

John R. stated he had agreed to halt the City's involvement in this process because landowners are the community, and as an elected official he is a major stakeholder. Flood control, recreation and protection for levees are the main concerns and the city will not walk away from those issues. The message is being lost somewhere; landowners have not seen assurances and he understands the frustration. The City of Colusa is not walking away and will sit at the table.

Mike Fehling stated that he wants locals to be involved in this planning process and does not want to lose this opportunity, especially regarding recreation. He described the boat ramp and expanded state recreation area as tangible benefits. He added agency people work at a certain level and that some policies and decisions happen at a higher level. He stated that he would like for the work of AW to continue.

Joan complimented Mike and Gregg as examples of people who have listened to the City of Colusa. She would like for the city to participate and noted that the recreation, economic, and hydraulic studies will be useful.

Greg added TNC has a core value of broad-based community support. He stated that the AW should continue and that TNC will seek to be inclusive, looking for input from any individual.

Public Comment

There was no public comment at this time.

November Field Trip Summary

Everyone was glad the rain held off and an excellent overall view had been given. John G. noted that it is hard as a farmer to see land converted to habitat from agriculture.

Updates on Research and Subcommittee Work

Gregg reviewed the hydraulic analysis of the existing flood control capacity and the effects of large woody debris (LWD). Locating and quantifying LWD was originally anticipated for December, but will be done at the latter part of the process so plotting can be done.

The LIDAR topographic mapping can not be done when the river is this high, and will be put off until waters have receded. The hydraulic analysis contract is in final negotiation with Ayres & Associates.

In regard to the recreation planning, the consultant scope of work has been clarified to make sure possible options for the Ward property include (and are not limited to) primitive camping, trails, interpretation, seasonal hunting, and parking. Consultants can develop an initial CEQA assessment checklist with an early deliverable by mid-March, adding money to the contract and helping the city. Separate public input meetings will be held. EDAW was selected as the consultant. The work product is expected to be a recreation master plan with graphics, cost estimates, and details.

In regard to the fiscal and economic analysis, the consultant, Economic and Planning Systems (EPS), will review the fiscal and economic impact on the effect of conversion of agricultural uses to habitat.

In regard to the study of regulatory and pest species effects, EDAW was chosen and the contract is in the works. There is the possibility of including UC Cooperative Extension for peer review under this analysis.

Gregg expects all studies will be under contract and moving by next month.

Francis asked for clarification that access and other uses would be considered under the recreation planning scope of work. Joan responded that the current and more inclusive language is intended to assure that the plan will look at a variety of uses.

Francis asked whether funding for implementation and maintenance of the recreation master plan had been secured. Gregg responded that planning, complete with illustrations, is the first step and moves ahead the process of securing funding. Francis added that he wants to make sure that the possibilities for recreation will not be lost if funding is not immediately available. Mike noted that the property will transfer to state parks ownership and that Proposition 50 funds represent the most promising funding source at this point.

Baseline Analysis Overview and Orientation

Greg reviewed the baseline assessment for restoration at the Ward tract. He distributed a Table of Contents and reviewed each of the four sections, noting that a baseline assessment will be presented for each of the areas; Cruise “n” Tarry will be addressed separately.

John G. asked whether elderberry bushes could be incorporated for future mitigation since that approach would provide significant local benefit. Gregg responded that TNC is trying to figure out how to handle that need and that programmatic safe harbor agreements are one potential pathway.

Francis asked if the Ward property could be a mitigation bank. Burt responded that there’s a challenge in that any increase in net conservation benefit must be privately funded. Francis expressed frustration with those requirements. Burt underlined the need to establish a baseline so that there can be a credit for a net increase.

Gregg asked the AW how it wants to review the baseline assessments. The group agreed that it would like to have 3-4 assessments grouped in each meeting with the results synthesized. It was determined that only a summary of each site was needed, with more detail on the Ward site.

Next Steps

AW members had differing ideas of appropriate next steps. Kelly and John G. felt it would be helpful to create a letter that describes the benefits of the AW work and encourages participation in the process. Francis noted there is the possibility of losing good opportunities, reiterated his support for Ben, and advised that any letter needs to make clear it is not coming from the entire AW.

The AW agreed that SRCAF will look to communicate AW benefits in its newsletter.

Next Meeting

The next CSP meeting was scheduled for February 6. The meeting will cover updates on the Colusa City Council meeting, the SRCAF Board meeting on Jan. 19, and any other developments. The other topics will be the baseline assessments of the first cluster of properties and a revisit of where the AW goes from here.

Note: The next meeting was subsequently rescheduled for March 6 from 10 a.m. to 2 p.m., location to be announced. There will not be an AW meeting on February 6.